

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 v. ) CRIMINAL NO. 04-10317-RCL  
 )  
 ANDREW LEWIS )

UNOPPOSED MOTION TO TEMPORARILY  
MODIFY CONDITIONS OF PRETRIAL RELEASE

Defendant, Andrew Lewis, moves this Court to temporarily modify his conditions of pretrial release to release him from electronic monitoring for an eight-hour period, 11 a.m. to 7 p.m., allow him to spend Christmas day with his father, mother, and sister. As grounds for this motion, the defendant through counsel states the following:

1. The defendant was arrested on October 14, 2004 and charged by complaint with receipt of child pornography in violation of 18 U.S.C. §2252(a)(2).
2. He was conditionally released October 18, 2004 by Magistrate Judge Dein. A major condition of release was that defendant be under house arrest to be monitored electronically.
3. Pretrial Services reports that the defendant has been compliant with all conditions of release. The defendant has been released from Electronic Monitoring to attend to a number of medical and legal appointments and each time has returned as instructed and without incident.
4. The defendant's father, Steven Lewis, suffers from ALS (a/k/a Lou Gehrig's disease), an ultimately terminal condition. His neurological deterioration has progressed to the point where he is homebound and thus unable to travel. His long-term prognosis is poor.
5. The defendant moves that he be allowed to spend part of Christmas day, noon to 6 p.m., at his parents home at 107 Mt. Vernon St., Winchester, MA 01890. Present at the home, along with the defendant's father, will be the defendant's

mother, Martha Lewis, and a younger sister. Another sister, Jennifer Lewis, may also be present. Jennifer Lewis has two children, ages 4 y.o. and 1 y.o. Jennifer Lewis is aware of the pending charges. The defendant will at all times be present with his family and will not be permitted unsupervised contact with the two young children.

6. The defendant estimates that no more than one hour travel each way will be necessary to drive from his home in Salem to his parent's home in Winchester.
7. Pretrial Services concurs with this temporary modification but requires judicial approval by the Court to modify the condition.
8. The government does not oppose this motion.

ANDREW LEWIS  
By his attorney,

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